

Serial No.: 10/083,877

Attorney's Docket No.: 10559/591001/P12772

REMARKS

Claims 1-47, 49-81, and 83 were pending before amendment. Please cancel claims 1-41, 45-47, and 49-80, without prejudice or disclaimer. Allowable claims 42-44, 81, and 83 remain pending in the case.

With regard to the objection to the drawings, it is respectfully noted that each feature of pending claims 42-44, 81, and 83 are shown in the drawings.

Examples of the features of pending claims 42-44, 81, and 83 are shown in Figures 4, 7, and 9.

Figure 7 shows first (705A) and second (705B) periodic structures with different pitches in a first layer (701). Note that the term pitch refers to the center-to-center distance between adjacent lines in the structures. Figure 7 shows third (705B) and fourth (710B) periodic structures with different pitches in a second layer (702).

Figure 9 shows a process for obtaining measurements using an optical metrology target. Act 920 of Figure 9 is analyzing the optical signal. As shown in Figure 7, pitches 735A (of the first periodic structure) and 735B (of the third periodic structure) are illustrated as being the same, as are pitches 730A and 730B (although the pitches need not be the same in all implementations). Further, as noted in the specification, the targets may be electrical elements of the integrated circuit. (See, for example, page 20, lines 3-5 of the specification, referring to Figure 4).

For at least the above reasons, all features of currently pending claims 42-44, 81, and 83 are illustrated in the figures. The objection is thus respectfully traversed, and its withdrawal respectfully requested.

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CONCLUSION

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Claims 42-44, 81, and 83 are in condition for allowance, and a notice to that effect is respectfully solicited. If the Examiner has any questions regarding this response, the Examiner is invited to telephone the undersigned at (858) 678-4311.

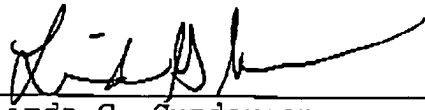
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Respectfully submitted,

Date: 11/12/04



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